Remarks

In the present response, no claims are amended. Claims 1-20 are presented for examination.

I. All Claims Not Rejected

Claims 1 – 20 are pending in the application. The Office Action, however, did not address claims 19-20. Applicants respectfully request allowance of these claims or a subsequent non-final Office Action to address any rejection of these claims.

II. Specification Amendments

The specification is amended to recite that the parent application issued.

III. Double Patenting Rejection

Claim 18 is rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 11 of U.S. Patent No. 6,718,375 in view of USPN 5,887,146 (Baxter). Applicants respectfully traverse.

The rejection of claim 18 under obviousness-type double patenting is contrary to 35 USC § 121 (Divisional Applications). The third sentence of this section states: "A patent issuing on an application with respect to which a requirement for restriction under this section has been made ... shall not be used as a reference either in the Patent and Trademark Office or in the courts against a divisional application ..." (portions omitted for brevity: see also MPEP § 804.01 "Prohibition of Double Patenting Rejections under 35 U.S.C. 121").

During prosecution of the parent application (now USPN 6,718,375), the Patent Office issued a restriction requirement. The claims in the pending application are a divisional application that was filed in response to the restriction requirement and before the issuance of the parent application. Thus, the third sentence of 35 USC § 121 prohibits the double patenting rejection.

Applicants respectfully request withdrawal of this rejection.

IV. Claims Rejection: 35 USC § 102(e)

Claims 1, 7-10, and 16-17 are rejected under 35 USC § 102(e) as being anticipated by USPN 5,887,146 (Baxter). Applicants respectfully traverse this rejection.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Baxter neither teaches nor suggests each element in the claims, these claims are allowable over Baxter.

Claims 1 and 10

Independent claims 1 and 10 recite numerous recitations that are not taught or suggested in Baxter. Some examples are provided below.

Example 1

Claim 1 recites a "controller for managing a plurality of response packets and a plurality of request packets." Claim 10 recites a controller that manages "a plurality of entries that are each associated with a respective packet of a plurality of response packets and a plurality of request packets." The Office Action cites Baxter FIG. 2 and column 19, lines 40-43 and column 20, lines 31-45. Applicants respectfully disagree.

FIG. 2 in Baxter shows a motherboard 52, not a controller. This motherboard does include a microcontroller 102 and a memory controller 82. The microcontroller performs low-level power-up diagnostics (10: 60-62). The memory controller controls execution of physical memory operation (23: 55-56). This controller, however, does not manage response and request packets "between interconnection rings and at least one memory access controller" or "between an interconnection ring of a multi-node processor system an at least one memory access controller."

Column 19, lines 40-43 of Baxter teaches different arbitrations on the PIXBUS of the motherboard. Column 20, lines 31-45 teaches how the ASICs examine traffic on the PIXBUS. These sections of Baxter are not relevant to the recitations in claims 1 and 10.

For at least these reasons, independent claims 1 and 10 and their dependent claims are allowable over Baxter.

of the claim, see M.P.E.P. § 2131. Moreover, in order for a prior art reference to be

anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim," see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

For at least these reasons, independent claims 1 and 10 and their dependent claims are allowable over Baxter.

Example 4

Claim 1 recites a controller that has a table with plural entries. The claim further recites that the table includes "means for storing a transaction identification which designates the packet for the originator." Claim 10 recites "storing transaction identification information that identifies each respective packet for the originator." Baxter does not teach these recitations.

The Office Action cites Baxter at FIG. 6 and column labeled "Decode Looks for:" FIG. 6 of Baxter teaches a table representing PIXBUS decode and queue priority assignments. This figure in Baxter is not related to a table in a controller. Applicants respectfully argue that the Examiner is picking and choosing unrelated sections of Baxter and improperly arranging unrelated elements.

It is well settled that to anticipate a claim, the reference must teach every element of the claim, see M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim," see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

For at least these reasons, independent claims 1 and 10 and their dependent claims are allowable over Baxter.

V. Allowable Subject Matter

Applicants sincerely thank the Examiner for indicating allowance of claims 2-6 and 11-15 subject to being rewritten in independent form.

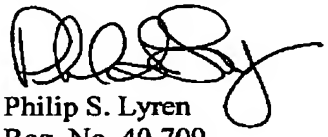
CONCLUSION

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (832) 236-5529. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

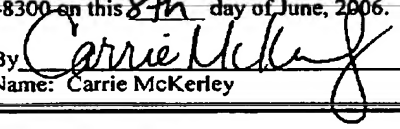
Respectfully submitted,



Philip S. Lyren
Reg. No. 40,709
Ph: 832-236-5529

CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 571-273-8300 on this 8th day of June, 2006.

By 
Name: Carrie McKerley